

**07 C 7256**

2754

**MILLER ACT NOTICE**

TO: **VIA CERTIFIED MAIL R/R**  
VA Hines Building 215  
500 Roosevelt Ave.  
Maywood, IL 60153

**VIA CERTIFIED MAIL R/R**  
Edward Hines, Jr. Hospital  
Department of Veterans Affairs  
POB 5000  
Hines, IL 60141

**VIA CERTIFIED MAIL R/R**  
Travelers Insurance  
One Tower Square  
Hartford, CT 06103  
Attn: Bond Department

**VIA REGISTERED MAIL, UPS NEXT DAY AIR, FACSIMILE (773) 631-1256**  
Charpie Construction Co., Inc.  
Loni Erhard, Registered Agent  
6615 N. Avondale Ave.  
Chicago, IL 60631

**VIA CERTIFIED MAIL R/R**  
Vario Construction Company, Inc.  
John E. Partelow, Registered Agent  
820 W. Jackson Blvd., Suite 300  
Chicago, IL 60607

**Re: VA Hines Building 215, 500 Roosevelt Ave., Maywood, Illinois  
Contract No.**

Dear Sir or Madam:

This letter constitutes notice of a claim under the Miller Act, 40 U.S.C. Sec. 270a, et seq.

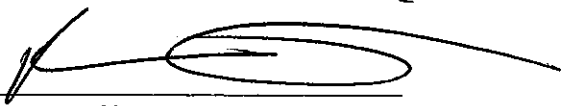
The undersigned, **WaterFurnace International, Inc.** is a supplier of materials and equipment, including geothermal heating and cooling equipment, to **Vario Construction Company, Inc.** for use in the construction of a public improvement at the VA Hines Building 215, 500 Roosevelt Ave., Maywood, Illinois, under contract number CONTRACT NO. dated CONTRACT DATE (the "Project"). On information and belief, said materials were supplied pursuant to a subcontract between **Vario Construction Company, Inc.** and **Charpie**

**Construction Co., Inc.** is serving as the general contractor for the Project.

As of the date hereof, **Vario Construction Company, Inc.** owes **Eighty-One Thousand Dollars Two Hundred Thirteen and 57/100 Dollars (\$81,213.57)** for the geothermal heating and cooling equipment furnished. **WaterFurnace International, Inc.** hereby makes claim against **Charpie Construction Co., Inc.** for payment of the amount owed to **WaterFurnace International, Inc.** **WaterFurnace International, Inc.** further claims interest on the outstanding amount owed, and reserves all rights and remedies available to it under all bonds, especially that certain performance and payment bond known as bond no. 104609105 with **Travelers Insurance**, as surety, and **Charpie Construction Co., Inc.**, as principal, at law and in equity.

We look forward to receiving your payment promptly.

**WaterFurnace International, Inc.**, an Indiana corporation,

By:   
One of its attorneys

Dated: March 26, 2007

**Prepared by:**

James T. Rohlfig  
Richard T. Niemerg  
Rohlfig & Oberholtzer  
211 Wes Wacker Dr., Ste. 1200  
Chicago, Illinois 60606  
(312) 923-7100

**CERTIFICATE OF SERVICE**

Under penalties as provided by law, pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that she served a copy of this Miller Act Notice to the parties as indicated on the above notice this 26<sup>th</sup> day of March, 2007.

  
\_\_\_\_\_